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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Initial report of States parties

Kingdom of Nepal

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Preface

The declaration of women's year 1975 and the first world conference on women are the landmarks for the development of women which is also an indicative of the international commitment for equality, development and peace in the world. Similarly, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women has become a mainstream of the commitments to develop a concensus and implementation strategies for eliminating all forms of discrimination against women existing in the society everywhere in the world.

Women's participation is invaluable to the development process. Accordingly, several efforts are already underway to bring them into the mainstream of development process in Nepal. A number of programmes have been formulated and are also being executed in line with different declarations made in conventions and conferences to improve the situation of women. Nonetheless, His Majesty's Government realizes that a lot has yet to be done to bring about a more perceptible difference in the lives of women of this country.

A committee consisting of nine members representing from the National Planning Commission Secretariat, Ministry of Law and Justice, and non-government organisations was formed under the chairmanship of Mr. Tirthaman Shakya, Secretary of the Ministry of Law and Justice to prepare a national report on CEDAW. The committee prepared the report based on the guidelines provided by the United Nations, and on the present status of women in different sectors of the development in the country. In the process of preparing this report different ministries, non-government organisations concerned with women and development have made substantive contributions.

Many thanks are due to the chairman and all the members of the report preparation committee for their valuable contributions in the preparation and finalisation of this country report. Without their consistent efforts, this report could not have been finalised.

Mr. Gyanendra Kumar Shrestha, Member-Secretary of the committee deserves our special thanks for his continuous contribution in the coordination throughout the process of the report preparation and making draft report.

Last but not least our sincere thanks go to UNICEF/Nepal for the assistance provided to editing the report.

May 1997
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Acronyms

CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
DDC	District Development Committee
EGWN	Equal Access of Girls and Women to Education in Nepal
GDP	Gross Domestic Product
HMG/N	His Majesty's Government of Nepal
INGO	International Non-governmental Organization
MLD	Ministry of Local Development
MWSW	Ministry of Women and Social Welfare
NGO	Non-governmental Organization
NPC	National Planning Commission
NPCS	National Planning Commission Secretariat
PCRW	Production Credit for Rural Women
SFDP	Small Farmars Development Programme
TFR	Total Fertility Rate
VDC	Village Development Committee

PART I Background

1. Geophysical Characteristics

1. The Kingdom of Nepal is bordered by China in the north and by India in the east, west and south. The approximate longitude is 80-88 degrees East, while the latitude is 26-30 degrees North. The country's rectangular shape covers an area of 147,181 square km, measuring about 885 km east to west and 193 km north to south. The altitude varies from 70 meters in the southern Terai region to 8848 meters in the north — the summit of Mt. Everest (Sagarmatha), the highest point on earth. Nepal's tremendous altitudinal variation supports a wide range of topographies and climates, ranging from subtropical to alpine. The annual rainfall ranges between 1154 and 3620 mm.

2. Mother Nature has showered her choicest blessings on Nepal and the country's spectacular landscape, as well as its rich flora and fauna, have attracted international appreciation. Nepali art and architecture, including richly endowed monasteries and temples, are world-famous. However, Nepal is economically disadvantaged, partly due to the fact it is a landlocked country.

3. Topographically, Nepal can be divided into three regions: the Terai or southern plains (23.11 percent of total area), the Hills (41.68 percent) and the Mountains (35.21 percent). For administrative purpose the country is divided into five development regions and 75 districts. These districts have been further subdivided into 58 municipalities and 3,912 Village Development Committees (VDCs) as of April 1997.

2. Socioeconomic Characteristics

4. Nepal's wide range of topographies support similarly broad cultural variations. There are about 20 different major ethnic groups speaking about 35 different languages. Inhabitants of the Hills and Mountains tend to be of Tibeto-Burman origin, while residents of the Terai are largely Indo-Aryan. However, the inter-regional migration of recent years has blurred this formerly distinct picture. The official language is Nepali, spoken by the majority of the people. It is the policy of the present government to encourage other minority languages as well.

5. Nepal is predominantly an agricultural country. Some 81 percent of the population depends on agriculture, which in 1994 generated 43 percent of the national GDP, according to the National Planning Commission. Some 65 percent of all farm families are classified as small farmers, with an average holding of 0.96 hectares of land. Only 18 percent of the total land area is under cultivation. Total cultivable land is estimated to be approximately 2.4 million hectares, 25 percent of which is in the Hills and 75 percent in the Terai. Of this, 1.72 million hectares is presently under cultivation. The Mountain Region, which constitutes 35 percent of Nepal's total area, is largely uncultivable and uninhabitable.

6. According to the 1991 census, Nepal has an estimated population of 18.5 million, 50.1 percent of which is female. The population distribution by sex and age is given below:

Table 1: Population Distribution by Sex and Age

Age Group	Percentage of Population by Sex and Age		
	Male	Female	Total
0-18	51.6	49.7	50.7
19-59	42.5	44.6	43.5
60+	5.9	5.6	5.8

Source: 1991 Census, Central Bureau of Statistics, HMG/N

7. About 46 percent of the population live in the Hills, 46 percent in the Terai and eight percent in the Mountains. Currently, the GDP grows by about five percent annually, while the population, despite concerted family planning initiatives, increases by 2.1 percent.

8. Annex I displays Basic Indicators in demography, health, education and economy for Nepal.

3. History and Political Structure

9. While Nepal boasts an ancient and sophisticated civilization, the history of modern Nepal begins only in 1769, when the founder of present-day Nepal, King Prithvi Narayan Shah, unified a number of small feudal states and principalities into a single state with the valley town of Kathmandu as its capital. In 1846, following the bloody Kot massacre, the Shah Kings, successors to Prithvi Narayan Shah, lost their power to the Rana Prime Ministers. It was the start of a 104-year Rana family oligarchy which is known in Nepal as a particularly dark period of history.

10. Up to the middle of this century, Nepal was little-known outside of South Asia. The conservative Rana regime which ruled the country did everything possible to keep Nepal apart from the political transformations taking place in other parts of the globe. Nepal had no written Constitution ensuring basic rights and fundamental freedoms. The concepts of an independent judiciary, human rights and the rule of law did not exist.

11. The year 1951 marked a turning point in the political history of Nepal. King Tribhuvan Bir Bikram Shah Dev announced the establishment of democracy in Nepal in February 1951, liberating the country from the Rana regime. In 1958 the late King Mahendra Bir Bikram Shah Dev introduced a new constitution providing for a

parliamentary form of government, and the first-ever popular election on the basis of adult franchise was held in early 1959. An elected government took power for the first time in the history of Nepal, but this experiment did not last long. On Dec 15, 1960, King Mahendra declared an emergency and assumed state power, dismissing the 19-month-old democratically elected Cabinet. The Parliament was dissolved, political parties were banned, and a "partyless *panchayat* system" was introduced. A new constitution promulgated in 1961 vested the sovereignty of the state in the Crown, from where all legislative, executive and judicial powers emanated from. The King was thus placed in the center and at the apex of government machinery. Although a few limited rights were given to the people and protected by the Supreme Court, basic human rights and fundamental freedoms were not part of the constitution in the true sense.

12. As a result of a popular movement launched in 1990, the partyless *panchayat* system was dissolved and a new, democratic constitution was promulgated. Known as the Constitution of the Kingdom of Nepal, 1990 (hereafter referred to as the "Constitution"), it established a multi-party parliamentary government much like that of Great Britain, with the King as head of state, the Prime Minister responsible to Parliament as the head of government, and an independent judiciary.

13. The Nepali Parliament is a bicameral legislative body. As in other parliamentary countries the lower house (the House of Representatives) is more powerful than the upper house (the National Assembly). The executive, legislative and judicial powers of the kingdom are well-defined and separated by the Constitution. The executive power of the country, with the responsibility of issuing general directives and controlling and regulating the administration of the kingdom, is vested in His Majesty the King and the Council of Ministers, the Cabinet. The King, as head of state, appoints the leader of the party which commands a majority in the House of Representatives as Prime Minister, and constitutes the Council of Ministers on his recommendation and under his chairmanship. The Prime Minister and other ministers are collectively responsible to the House of Representatives. The other ministers are individually responsible to the House of Representatives and the Prime Minister for the affairs of their respective ministries.

14. Parliament consists of the House of Representatives and the National Assembly. The House of Representatives consists of 205 members elected from one-man election constituencies by Nepali citizens who have attained the age of eighteen. Nepal has adopted the simple plurality or 'first past the post' election system, under which a candidate securing the relatively largest popular vote in a given constituency is deemed to be elected. The National Assembly or the Upper House consists of 60 members, ten of which are nominated by His Majesty the King and 35 of whom (including at least three women members) are elected by the House of Representatives on the basis of proportional representation. The remaining 15 members are elected from five Development Regions by an electoral college consisting of the chiefs and deputy chiefs of Village Development

Committees and municipalities and the chiefs, deputy chiefs and members of the District Development Committees of each region. The term for members of the House of Representatives is five years. The National Assembly is a permanent House. The tenure of office of one-third of its members expires every two years.

15. Except as otherwise expressly provided in the Constitution, Parliament is empowered to enact any law. A bill passed by one House of Parliament is transmitted to the other House as soon as possible, and, if passed, is presented to His Majesty the King for royal assent, upon which it becomes an Act. The government is empowered to enact rules or regulations under delegated legislative powers vested under an Act of Parliament.

16. Specific provisions of the Constitution deal with ratification of, accession to, approval of and acceptance of a treaty. Depending on the content, nature and terms of a treaty, either a joint sitting of both Houses of Parliament or a sitting of the House of Representatives is required for ratification or accession. Multilateral treaties concerning human rights are normally ratified by the House of Representatives by a simple majority vote. Once ratified, they are executed at a national as well as international level.

17. In Nepal it is a matter of general debate whether a treaty to which the kingdom is a party can be invoked before the courts for the purpose of conferring rights on individuals. However, a treaty may possibly be invoked for other purposes, for instance on a collateral issue which the courts may have to determine before adjudicating the rights of the parties. On this issue, the courts are so far silent. However, the Supreme Court has decided that where the provisions of an act are inconsistent with the provisions of a treaty to which His Majesty's Government is a party, the provisions of the treaty in question prevail. Under the Nepal Treaties Act, 1990, in case of a divergence between the provisions of Nepali law and the provisions of the international treaty to which the kingdom is a party, the provisions of the treaty shall apply to the extent of divergence.

18. The judiciary of the country is an independent organ. The powers relating to justice in the kingdom are exercised by courts and other judicial tribunals in accordance with the provisions of the Constitution, the laws and universally recognized principles of justice. The judiciary of the country comprises 75 district courts, 16 appellate courts and one Supreme Court. The Chief Justice of the Supreme Court of Nepal is appointed by His Majesty the King on the recommendation of the Constitutional Council, composed of the Prime Minister, the Chief Justice, the Speaker of the House of Representatives, the Chairman of the National Assembly and the leader of the opposition in the House of Representatives. Appointment of other judges of the Supreme Court, the court of appeals and the district courts is made by His Majesty the King on the recommendation of the Judicial Council. In Nepal, judges are not part of the civil service and the terms and conditions of their service are determined by law as required by the Constitution. In addition to the above-mentioned courts, the Constitution stipulates that the law may provide

for the establishment of special types of courts and tribunals for the purpose of hearing special types of cases, provided that no special court or tribunal is constituted for the purpose of hearing a particular case.

4. Status of Women

19. The social status of women varies between ethnic communities. Generally speaking, women in Tibeto-Burman ethnic communities have more social freedom as well as recognition of their economic contribution, while in Indo-Aryan ethnic communities with a more patriarchal value system, women's social freedom is restricted and their economic contributions are undervalued.

20. Public education in Nepal essentially began with the advent of democracy in 1951, and has made significant advances over the last forty years. In 1970, a National Education System Plan was formulated and during the International Women's Decade, with the help of UNESCO, the Equal Access of Girls and Women to Education in Nepal (EGWN) project was introduced. Since then, various incentives like cash prizes to schools with the highest female enrollment rates, literacy shields, and scholarships have been introduced. Female literacy, which was 13.9 percent in 1971, reached 25 percent in 1991, compared to a national rate of 40 percent.

21. The life expectancy at birth for females was 48 years in 1981 (compared to 50 for males) and 53.4 years in 1991 (compared to 55.9 for males). Nepal is one among the three countries in the world where female life expectancy is lower than that of males. This is largely due to a high maternal mortality rate, of 515/100,000 (NFHS, 1991).

22. The legal age of marriage for girls is established at 16 years with parental consent and 18 years without consent. The average age for marriage for women is 17.8 years. Abortion is illegal except in cases where the mother's life is endangered.

23. No. 1 of the "Husband and Wife" Chapter of the Muluki Ain (General Law),1963 stipulates that a marriage may be dissolved with the consent of both parties. A wife may divorce her husband if the husband brings or keeps another wife; evicts the wife from their home or doesn't support her; deserts her for a period of at least three years; causes or tries to cause such acts as may threaten her life or inflict serious bodily injury to her; or becomes impotent.

24. Forty percent of Nepali women have their first child between the ages of 15-19 years, and the fertility rate according to the latest estimates is 4.6 (NFHS, 1996). Less than 10 percent of births are attended by trained health personnel. Seventy to eighty percent of Nepali women suffer from anemia. The first two HIV/AIDS-positive Nepali women were identified in 1989. To date, 97 HIV/AIDS-positive women have been identified, compared to 91 HIV/AIDS-positive men.

25. According to the 1991 census, women constitute 46 percent of the total economically active population. Ninety percent of these women are engaged in agriculture. Studies show that on the average women work for 11 hours a day, while men work for seven hours. Women contribute 50 percent of the household income, while men contribute 44 percent and children contribute six percent.

26. Women's involvement in the industrial sector is marginal, unevenly distributed, and largely confined to low-skill areas. Principal activities are in spinning, weaving, knitting, carpet-making, and tea and food processing. The main employers of women are the textile and weaving industries, but involvement is mainly in unskilled and semi-skilled positions. Increasing numbers are being employed in food processing industries and in manufacturing cigarettes, matches, and pharmaceuticals. The hotel industry follows a similar pattern, with female employment concentrated in housekeeping and ancillary jobs. In the service sector, teaching, government and financial institutions are the main employers of women.

27. The percentage of women in decision-making positions is minimal. Among the 205 members of the lower house of Parliament, seven are women. Similarly, of the National Assembly's 60 members there are only five women. Women constitute only 10 percent of the civil service, concentrated mostly in clerical jobs. Out of 75 Chief District Officers, only three are women.

28. While the Constitution grants equality in terms of sex, this has not yet been fully applied. Certain statutory laws discriminate against women, especially in the area of property and family law. However, in some ethnic communities women enjoy considerable property rights and have a relatively comfortable socioeconomic status.

5. Contributions of NGOs and INGOs to Women's Development

29. According to the Eighth Plan, the history of non-governmental organizations began nearly seven decades back with the establishment of the Shree Chandra Kamdhenu Charkha Pracharak Mahaguthi. After 1950, international INGOs like the Red Cross, the Family Planning Association, Lions and Rotary Clubs were established and run by Nepali nationals with foreign assistance.

30. The declaration of 1975 as International Women's Year generated strong concern for issues and problems relating to women, and several organizations were established at both the governmental and non-governmental levels. The establishment of the Mothers' Club in 1976 and the Women's Service Coordination Committee in 1977 under the Social Service National Coordination Council (now the Social Welfare Council) were important milestones in the advancement of women. These institutions are currently under the auspices of the Ministry of Women and Social Welfare.

31. With the advent of the multi-party system in 1990, a large number of NGOs were established and are working in the area of women and development. Interventions being carried out under the broad area of women and development address issues involving the environment, education, health, hygiene and sanitation, nutrition, income generation and employment, trafficking, appropriate technology and other forms of community development. These NGOs also advocate gender equality and women's rights. By the end of April 1996, 341 NGOs working specifically in the field of women and development were affiliated to the Social Welfare Council, as were 3,980 other NGOs which are not women-specific but which implement activities on women and development. Several INGOs have also started women-related activities, particularly in the fields of education, health, environment, and income generation.

32. NGOs also play an active role in developing public awareness of women's legal rights. Several NGOs are presently working towards obtaining a Supreme Court decision on equal property rights for sons and daughters, and have started an ongoing public discussion on this issue. The Ministry of Women and Social Welfare is playing a leading role in encouraging the equal division of property between daughters and sons, as per the provisions of CEDAW.

6. Institutional Mechanisms

33. A number of governmental institutions are responsible for the implementation of women-related activities in Nepal. The major institutions can be identified as follows:

- The ministry of Women and Social Welfare, established in September 1995, has the goal of helping women enter the mainstream of national development through gender equality and empowerment. It acts as the hub for all women's development activities in Nepal. Details on the ministry's objectives, activities and priorities are given in Annex II.

- The National Council for Women and Children Development was established on 8 March 1995 with the Prime Minister as its chairperson.

- Ministries having Women and Development units, sections or divisions; for instance, the Ministry of Local Development, the Ministry of Agriculture, the Ministry of Labor, the Ministry of Education, the Water and Energy Commission Secretariat under the Ministry of Water Resources, and the National Planning Commission Secretariat.

- Ministries which do not have "Women and Development" cells but which have projects/programs relating to women; such as the Ministry of Health, the Ministry of Forestry, the Ministry of Tourism, the Ministry of Population and Environment, and the Ministry of Industry.

Part II Specific Information

1. Definition of Discrimination Against Women (Article 1) and Eliminating Discrimination and Ensuring Equality (Article 2)

34. A series of Constitutional and legal provisions preclude discrimination of any type, forms or manifestations against women. Under the legislative framework of Nepal, any distinctions, exclusions or restrictions made on the basis of sex having the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field, is prohibited. Both men and women, regardless of marital status, are equal before law, and are entitled to equal protection of the law.

35. Article 11 (2) of the Constitution explicitly stipulates that no discrimination shall be made against any citizen in the application of general laws on grounds of religion, race, sex, caste, tribe or ideological conviction. Further, Clause 3 provides that the state shall not discriminate among citizens on these grounds. However, special legal provisions may be made for the protection and advancement of the interests of women, children, the aged, or physically or mentally incapacitated people, or those belonging to economically, socially or educationally backwards classes.

36. Similarly, the Constitution in Article 11 (5) provides that no discrimination in regard to remuneration shall be made between men and women for the same work. Other prevailing laws also guarantee equality between men and women and prohibit any discrimination on the ground of sex.

37. Section 3 of the Civil Liberties Act, 1955 deals with equality before the law and equal protection of the law; and Section 4 prohibits any restrictions against any citizen on the basis of sex in the appointment to any civil post. Similar provisions are made in the Civil Services Act, 1993; the Labor Act, 1992; various chapters of the Muluki Ain; the Children's Act, 1992, etc.

38. Hence, it is clear that the principle of equality of rights applies to all women irrespective of their marital status; and both public and private discrimination, unintentional as well as intentional, are prohibited.

39. In spite of Constitutional and other legal provisions, certain statutes enacted before the promulgation of the present Constitution and based on traditional values still directly or indirectly maintain certain gender-based inequalities. These laws can be tentatively enumerated as follows:

(i) The Act Concerning Land, 1964 restricts daughters from inheriting the tenancy rights of their father or mother.

(ii) No. 1 of the Chapter on "Partition" of the Muluki Ain restricts daughters from sharing the property that belongs to her parental family.

(iii) No. 16 of the same Chapter provides that to share such property the daughter should remain unmarried, and is only entitled to share the property after she attains the age of 35 years.

(iv) No. 2 of the Chapter on "Women's Property" of the Muluki Ain restricts women from independent use of their property, as it requires them to receive permission from their father (if they are unmarried) or from their adult son (if they are married or widowed) before disposing of their immovable property.

(v) No. 6 of the same Chapter provides that a widow forfeits her property received from her husband or his family if she is found sexually disloyal to her deceased husband.

40. Other instances of inequality are due to poverty and backwardness. For instance, in comparison with men, women are frequently deprived of opportunities for education, employment and entrepreneurship. It is a fact that access to education both reflects and influences women's status in society. In Nepal, as in many other developing countries, girls are denied the educational opportunities enjoyed by boys, with subsequent implications in terms of access to knowledge and future opportunities. In this way, the larger part of the female population remains illiterate and ignorant, making the whole community of women vulnerable to gender discrimination. In the informal sector such as agriculture, industry and others women are less paid than their counterparts especially in the areas of unskilled labour.

41. It is clear that the government has yet to take meaningful measures to eliminate discrimination by repealing existing discriminatory laws and conventions. This is despite the fact that Nepal has been advocating, in national, regional, and international fora, the elimination of all forms of discrimination against women.

42. The equality of rights of all citizens, both men and women, is a basic principle of the Constitution. All branches of current legislation are devoted to give it concrete form. Constitutional provisions are adequate to guarantee legal equality, provide remedies and sanctions, and allow the repeal of overtly discriminatory laws; in fact, they allow for the provision of special protection to women.

43. As set out above, Article 11 of the Constitution upholds the right to equality between men and women. Under Article 23, every citizen is entitled to have the right to Constitutional remedy. A citizen whose fundamental rights have been violated may file a

petition to the Supreme Court for the issuance of appropriate orders to enforce his or her rights. Article 88 empowers the Supreme Court to issue necessary and appropriate orders and writs including the writ of *habeas corpus, mandamus, certiorari,* prohibition and *quo warranto,* for the enforcement of the fundamental and legal rights for which no other remedy has been provided. The appellate courts are also empowered to issue writs of *habeas corpus* and *mandamus* for enforcement of rights.

44. Article 26 directs the State to pursue a policy of making the female population participate, to a greater extent, in the task of national development by making special provisions for their education, health and employment, and to pursue such policies in matters of the education, health and social security of orphans, helpless women, the aged, the disabled and incapacitated persons as will ensure their protection and welfare.

45. The Civil Liberties Act, 1955, and certain chapters of the Muluki Ain are the major legislation establishing legal protection of the rights of women on an equal basis with men. The above-mentioned Constitutional provision ensures the effective protection of women against any act of discrimination. In case any act imposes an unreasonable restriction on the enjoyment of fundamental rights, the Supreme Court may, by exercising its extra-ordinary powers under the process of judicial review, declare such act as void *ab initio* or from the date of its inception.

46. His Majesty's Government is committed to adopting necessary laws reflecting the effective protection of human rights, and to modifying and repealing all legal provisions which directly or indirectly constitute any form of discrimination against woman.

47. Despite existing Constitutional and legal provisions, the state has yet to make many efforts in this regard. No laws have yet been enacted to give effect to the Article 11 (3) proviso of the Constitution. The government has made attempts to improve educational opportunities for girl children by providing free access to education and stipends for higher education. The government has also adopted a policy of having at least one female teacher in every primary school. Apart from these provisions, however, little has been done to encourage the sociocultural development of women.

48. With regard to political development, the situation of the past few years is similarly unencouraging. Despite the Constitutional provision guaranteeing a minimum female candidacy of five percent, a negligible number of women have been elected to represent constituencies. Obviously, female participation in the national political decision-making process is still quite marginal.

2. Human Rights and Fundamental Freedoms for Women (Article 3)

49. The Constitution explicitly mentions that the guarantee of basic human rights to every citizen of Nepal, the system of multiparty democracy, and the establishment of an independent and competent system of justice with a view to transforming the concept of the rule of law into a living reality are the only basic features or principles of the Constitution which are not subject to amendment. Part 3 of the Constitution codifies all rights and freedoms recognised by the international community through various international as well as regional instruments to which Nepal is a party as fundamental rights of citizens. Thus, Part 3 (Articles 11 to 23) of the Constitution can be termed the Bill of Rights of Nepal. The Constitution also provides for effective remedy and enforcement of the rights conferred by Part 3. The basic principle of modern jurisprudence — that only an effective and independent judiciary can protect and enforce the fundamental rights of citizens -- has also been recognised in Nepal, and the Supreme Court is empowered, under its extra-ordinary jurisdiction, to protect such rights by issuing various forms of writs, including *habeas corpus, mandamus, certiorari,* prohibition and *quo warranto.*

50. Article 1 of the Constitution proclaims the Constitution the fundamental law of the country, and states that all laws inconsistent with it are, to the extent of such inconsistency, void. This provision further guarantees the fundamental rights conferred in the Constitution. If any law imposes an unreasonable restriction on the enjoyment of the fundamental rights conferred in the Constitution or on any other ground, the Supreme Court, by exercising its extra-ordinary jurisdiction of judicial review under Article 88 (1) of the Constitution upon the petition of any Nepali citizen, may declare a law as void either *ab initio* or from the date of its inception. Following the promulgation of the new Constitution, several laws have been declared void by the Supreme Court on the ground of inconsistency with the Constitution.

51. The promotion of the general welfare of the people by the protection and promotion of human rights is one of the directive principles of state policy. To this end the state shall, among other things:

(i) Pursue a policy of promoting the general welfare by making provisions for the protection and promotion of human rights, and by maintaining tranquillity and order in society;

(ii) Pursue a policy of raising the standard of living of the general public through the development of infrastructures such as education, health, housing and employment for the people of all regions;

(iii) Pursue a policy of strengthening national unity and maintaining the cultural diversity of the country, by promoting healthy and cordial social relations among

the various religions, castes, tribes, communities, and linguistic groups, and by helping in the promotion of their languages, literatures, scripts, arts and cultures;

(iv) Pursue a policy of making the female population participate, to a greater extent, in the task of national development by making special provisions for their education, health, employment, and property rights;

(v) Pursue a policy to make necessary arrangements to safeguard the rights and interests of women and children and ensure that they are not exploited, and shall make gradual arrangements for free education;

(vi) Pursue such policies in matters of education, health and social security of orphans, helpless women, the aged, the disabled and incapacitated persons as will ensure their protection and welfare; and

(vii) Pursue, in order to secure justice, a policy of providing free legal aid to indigent persons for their legal representation, in keeping with the principle of the Rule of Law.

52. Besides the above-mentioned information, the Constitution, in Article 88 (2), provides for public interest litigation, empowering the Supreme Court to issue various kinds of writs as required for a legal question involved in any dispute of public interest or concern. In practice, all issues concerning human rights are considered disputes of public interest or concern and consequently, anyone shall have the right to submit a petition for protection and enforcement of human rights. In that case the Supreme Court may issue appropriate writs, including the writs of *habeas corpus, mandamus, certiorari,* prohibition and *quo warranto.*

53. Nepal has become a party to the international legal instruments listed in Table 2 without any reservation (except in exceptional cases); and has consequently accepted the jurisdiction of the International Court of Justice in the interpretation and application of the international instruments, if such instruments provide such jurisdiction. The kingdom is also a party to various International Labor Organization Conventions, such as the Convention on Equal Remuneration (No.100), the Convention on Discrimination (Employment and Occupation) (No.111), the Convention Concerning Minimum Wage-Fixing (No.131), the Convention on Weekly Rest in Industrial Undertakings (No.14), and the Convention Concerning Tripartite Consultation to Promote the Implementation of International Labor Standards (No. 144); and is considering becoming a party to the Convention Concerning Minimum Age for Admission to Employment (No.138).

54. As a member of the United Nations and other international as well as regional organizations, Nepal is a party to a large number of international legal instruments concerning human rights, including but not limited to the following:

Table 2: International Conventions to Which Nepal is a Party

Name of International Instrument		Date of Accession (a) or Ratification (r)
(1)	Slavery Convention	Jan. 7, 1963 (a)
(2)	Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery	Jan. 7, 1963 (a)
(3)	Convention on the Prevention and Punishment of the Crime of Genocide	Jan. 17,1969 (a)
(4)	International Covenant on the Elimination of all Forms of Racial Discrimination	Jan. 30, 1971 (a)
(5)	International Covenant on Economic, Social and Cultural Rights	May 14, 1991 (a)
(6)	International Covenant on Civil and Political Rights	May 14, 1991 (a)
(7)	Optional Protocol to the International Covenant on Civil and Political Rights	May 14, 1991 (a)
(8)	International Convention on the Suppression and Punishment of the Crime of Apartheid	July 12, 1977 (a)
(9)	Convention on the Elimination of All Forms of Discrimination Against Women	April 22, 1991 (r)
(10)	Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishments	May 14, 1991 (r)
(11)	International Convention Against Apartheid in Sports	March 1, 1989 (r)
(12)	Convention on the Rights of the Child	Sept 14, 1990 (r)
(13)	Convention on the Political Rights of Women (11)	April 26, 1966 (a)

55. Nepali legislation regarding the promotion and protection of human rights has developed on the basis of the norm that equality between men and women is a pre-condition for women's full enjoyment of human rights and fundamental freedom. This belief runs through all administrative, legislative and judicial measures taken in political,

social, economic and cultural fields to ensure the full development and advancement of women.

3. Temporary Special Measures (Article 4)

56. Nepal recognizes that for women to achieve genuine equality, it is necessary not only to remove discriminatory barriers but also to promote equality by positive action to overcome the effect of fixed role division. Temporary special measures may also be necessary to combat the general undervaluation of women and their work, and the neglect of their education and training.

57. The Constitution provides certain specific provisions for the protection and advancement of the interests of women in Nepal. These include:

(i) Article 11 of the Constitution provides the right to equality, and prohibits discrimination based on religion, race, sex, caste, tribe or ideological conviction. Under a proviso made in Sub-Article 3, special legal provisions may be made for the protection and advancement of the interests of women, which shall not be regarded as discriminatory.

(ii) Under Articles 113 and 114, any political party or organization desiring to secure recognition from the Election Commission for the purpose of election shall be required to put up women candidates in a number which should be at least five percent of the total number of candidates contesting election in any general election to the House of Representatives. In the general election held in November 1994, there were 86 women candidates from various political parties, out of which seven women candidates from two main parties were elected.

(iii) Under Article 46 (1), Clause B, at least three seats are reserved for women in the National Assembly of Parliament. Such members are elected by the House of Representatives in accordance with the provision of law, on the basis of a proportional representation system by means of single transferable vote.

58. HMG regulations require the employment of at least one female teacher in every primary school. The government also supports free textbook distribution for girls up to fifth grade, especially in 18 remote districts. Another provision offers cash prizes for the school with the highest female enrollment in each district.

4. Social and Cultural Standards (Article 5)

59. Prior to 1951, a much more favourable legal status was given to men. The Muluki Ain was based on the caste system and a social tradition of male domination. Appropriate

administrative, legislative and judicial measures have since been adopted to modify discriminatory social and cultural patterns, and to achieve the elimination of gender-based prejudices and practices based on the idea of the comparative inferiority or superiority of either sex, or on stereotyped male and female roles.

60. The Nepali government recognizes that concerted action by all segments of society is needed to bring about changes in the stereotyped thinking and attitudes of both men and women, especially in the upbringing of children, in the design of textbooks and the conceptualization of education in general.

61. Taking into consideration the major role of education in eliminating discrimination, the educational policy of Nepal aims at raising social awareness regarding all forms of discrimination against women. This awareness campaign is operating under the auspices of the Ministry of Education.

62. The existing legal system has made provisions to eliminate many customary practices that perpetuate discrimination against women, particularly in the area of family relations. Examples of these provisions include:

(i) **No. 2 of the Chapter on "Marriage" of the Muluki Ain (General Law) requires parental** consent for the marriage of women between 16 and 18 years and men between 18 and 21 years. For marriages contracted with the consent of the parties alone, the minimum age is 18 years for women and 21 years for men. This law has been helpful in reducing the widespread practice of child marriage, and has also reduced the practice of men taking more than one wife. It has also effected some changes in the attitude of husbands towards wives, as the woman's position in the family is more clearly recognized.

(ii) **According to No. 1 of the Chapter on "Husband and Wife" of the Muluki Ain, a** wife is entitled to seek a divorce from her husband if he consummates a second marriage or keeps another woman as wife; ejects his wife from the house or ceases to support her financially; is separated from his wife for a period of at least three years; causes or tries to cause such acts as may threaten her life or inflict serious bodily injury to her; or is impotent.

These two provisions ensure women the status of individuals empowered to not be subjugated under their husbands. However, a woman still has no rights to obtain a divorce if she simply finds the marriage is detrimental to her person, mentally, physically or emotionally.

(iii) The Children's Act, 1992 provides girl children the same status as boy children. Section 2(a) of the Act states that every human being below the age of 16

years is a child. **Section 3 of the act states that every** child, irrespective of sex, is entitled to be granted a name according to religion, culture and tradition by his father, or, if his father is not available, by his mother. According to **Section 4, parents** are considered equally responsible in bringing up the child and in providing education, health care, sports, and recreation opportunities, according to the economic status of the family. **Section 5 states that no discrimination** may be made between sons and daughters in matters relating to upbringing, education or health care.

63. Despite the law prohibiting child marriage, the practice of giving daughters in marriage before they reach the age of puberty is still prevalent. Girl children are also given in marriage to older adult men. This practice is based on the pretext of enhancing religious virtue and protecting girls from slander.

64. Some of the customary practices existing within certain communities which reduce women to inferior citizens include:

(i) **Polygamy:** Though polygamy is strictly prohibited and punishable by law in Nepal, the law does not invalidate the second marriage itself. Polygamists are subject to two months' imprisonment and a fine, but having served this they are entitled to keep the second marriage as a recognized one.

(ii) **Polyandry**: Among some of the mountainous tribes, the practice of a woman keeping more than one husband at the same time still prevails in Nepal.

(iii) **Adoption of wife of elder brother**: The compulsory adoption of the sister-in-law as a wife after the death of the elder brother is still customary among some indigenous community in Nepal.

(iv) ***Deuki*:** The tradition of dedicating girls to a god or goddess turns as "temple prostitutes" is widespread in Far-Western Nepal, despite the prohibition of this practice in the Children's Act.

(v) **Caste Prostitution:** Members of the Badi caste of Western Nepal traditionally earn their living as entertainers, dancers and musicians. Badi women commonly practice prostitution. Various NGOs have implemented successful income-generating programs to reduce the involvement of Badi girls and women in prostitution.

5. Suppression of Traffic in Women and Exploitation of Prostitution (Article 6)

65. Traffic in human beings, slavery, serfdom or forced labour in any form are all prohibited by Article 20 of the Constitution. Every citizen is provided with the right against any form of exploitation.

66. The chapter "Relating to Trafficking in Humans" of the Muluki Ain prohibits the act of selling persons, and has declared such act a criminal offence. Section 1 of the chapter prohibits taking a person out of Nepal to sell him or her. The Trafficking in Human (Control) Act, 1986 provides punishment of imprisonment for a period of up to 15 years for trafficking.

67. Nepali legal provisions regarding the punishments for trafficking in women and for rape tend to protect the interests of women. Combatting prostitution is rendered more difficult by widespread underdevelopment, poverty, illiteracy, and lack of employment opportunities.

68. Punishments for rape outlined in the chapter on "Rape" of the Muluki Ain vary according to the age of the victim. If the victim is below 14 years, punishment is imprisonment for six to ten years; while rape of a victim over 14 years is punishable by imprisonment for a period of three to five years. In both cases, the victim receives half the property of the offender as compensation. If a rape victim kills the offender during the act of committing or within an hour afterwards, she is immune from punishment. If a rape victim kills her attacker after the one-hour period, she will be punished with a fine not exceeding Rs. 5,000 and imprisonment not exceeding 10 years.

69. A large number of girls and women, especially from poverty-stricken mountain districts, are being trafficked to Indian brothels every year. It is estimated that more than 100,000 Nepali women have been trafficked to Indian brothels.

70. The Trafficking in Humans (Control) Act, 1986 prescribes strict penalties for those involved in any aspect of human trafficking for prostitution. The statute prohibits the sale and purchase of humans for any purpose. Acts like taking persons to foreign countries for the purpose of trafficking; enticing or alluring women into prostitution, or coercing them by undue influence, fraud, threat, or any other means; and pandering are all criminal offences punishable by five to twenty years of imprisonment.

71. Enforcement of the act seems to be very weak, as only about 345 cases have been registered from 1992/93 to 1994/95. Apart from prosecutions filed through this act, the government has no other program for checking the problem. The number of cases registered against girl traffickers is shown in Table 3:

Table 3: Cases Registered Against Girl Traffickers

Year	No. of Registered Cases	No. of Traffickers Involved	
		Male	Female
1990/91	104	-	-
1991/92	137	-	-
1992/93	117	261	62
1993/94	126	256	66
1994/95	102	165	69
1995/96	149	-	-

Source:- Police Headquarters, Naxal, Kathmandu, Nepal, 1996.

72. In order to effectively check and suppress trafficking in women and girls, Nepal became a state party to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), by a decision of the House of Representatives in December 1995.Following the advent of democracy, many seminars have been held to highlight the problem of girl trafficking. The government and NGOs are trying to create awareness about the problem of girl trafficking through publications, seminars and action programs. The media has also devoted much time and space to highlighting the problem. Feature films and telefilms have proved effective in relaying the message, though they reach only a limited segment of the population.

73. Together with NGOs, the government is stepping up its role in combatting this crime. Groups consisting of girl students, social workers, girls who have returned form brothels in India and the police are conducting awareness-raising programs in districts where girl trafficking is common, using pamphlets, talk programs and public rallies against trafficking.

74. UN agencies, in coordination with NGOs, are preparing a national campaign to promote awareness on the issue of trafficking of girls from Nepal to India. Activities will include advocacy at the ministerial level to strengthen laws regarding human trafficking, and working with the police to generate commitment for stronger enforcement of laws. The program intends to generate micro-level interventions in the districts most affected by girl trafficking. In addition, Nepali journalists have been provided information on girl trafficking. In 1994 a group of journalists was taken on a tour of Bombay brothels to acquaint them with the situation.

6. Political and Public Life (Article 7)

75. The Nepali Constitution and laws give women the same political rights as men concerning political and social matters. As already stated, Nepali women may receive additional opportunities to participate in the decision-making process. Government policies vis-à-vis women are designed to enable women to participate in the formulation and implementation of government policy. However, Nepali women have been unable to fully participate in this field, partly due to their educational disadvantage compared to men. A number of organizations and NGOs are working to provide educational opportunities for women in order to increase their participation in all fields of life.

76. Under the Constitution, Nepali women receive full democratic rights, including the right to vote in and contest general and local elections, the right to affiliate with political parties, and the right to hold any political opinion. Under Article 45, every Nepali citizen who has attained the age of 18 years is entitled to vote in elections, while any citizen who has attained the age of 25 may become a member of the House of Representatives. Hence, a Nepali women may become a minister or the Prime Minister.

77. The Civil Service Act, 1993 provides equal opportunity to both men and women in the civil service. It is apparent that Nepal has adopted legislative, administrative and judicial measures which are adequate to eliminate discrimination against women in the political and public life of the country. Women are entitled, on equal terms with men, to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; to participate in the formulation and implementation of government policy, to hold public office and perform all public functions at all levels of government, and to participate in non-governmental organizations and associations concerned with the public and political life of the country.

78. The Constitution provides certain specific provisions for the protection and advancement of the interest of women in Nepal:

(i) Under Articles 113 and 114, any political party or organization desiring to secure recognition from the Election Commission for the purpose of election shall be required to put up women candidates in a number which should be at least five percent of the total number of candidates contesting election in any general election to the House of Representatives.

In the general election held in November 1994, there were 86 women candidates from various political parties, of which seven women candidates from two main parties were elected.

(ii) Under Article 46 (1), Clause (B), at least three seats are reserved for women in the National Assembly of Parliament. These members are elected by the House of Representatives on the basis of proportional representation by means of the single transferable vote. At present, there are five women members in the National Assembly.

Table 4 shows the percentage of women in Parliament.

Table 4: Number and Percentage of Men and Women in Parliament (1995)

	Total Number of Seats	Total Number of Women Elected	Percentage of Women Elected	Total Number of Men Elected	Percentage of Men Elected
House of Representatives	205	7	3.41	198	96.59
National Assembly	60	5	8.33	55	91.67

Source: Election Commission, 1995

79. Though women have been participating in national, district and local elections, the number of women contesting these elections is low and the number of female candidates winning is lower still.

80. Table 5 shows the number and percentage of women and men elected to District Development Committees and Village Development Committees.

Table 5: Number and Percentage of Men and Women Elected to DDCs and VDCs

	Total Number of Seats	Total Number of Women Elected	Percentage of Women Elected	Total Number of Men Elected	Percentage of Men Elected
DDC	1074	7	.69	1067	99.31
VDC/Municipality	44,462	241	.54	44,221	99.46

Source: Election Commission, 1995

81. Similarly, the National Development Council, which is the highest body for planning, monitoring and evaluation of development programs, has only three women members, while the present Cabinet has one woman minister.

82. According to ordinance relating to Local Bodies and Election Act promulgated on April 4, 1997 participation of women in election has been reserved at 20 percent. In this way women participation in the local bodies in the country will be 40,000 plus. Every ward of Village Development Committee will have at least one female member.

83. The basic reasons for women's low representation at the administrative, political and national decision-making levels are poverty, lack of education, lack of access to property, and patriarchal norms and values that restrict women's entry into these fields.

7. International Representation (Article 8)

84. Under Article 45, every Nepali citizen who has attained the age of 18 years is entitled to vote in elections, and any citizen who has attained the age of 25 may become a member of the House of Representatives. Hence, a Nepali woman may become a minister or the Prime Minister, or an ambassador to foreign states. Under the Civil Service Act, 1993, a woman could hold a high-level position.

85. Moreover, pursuant to Article 3 of the Constitution, the sovereignty of Nepal is vested in the Nepali people, and shall be exercised in accordance with the provisions of the Constitution. This provision empowers every citizen of Nepal, irrespective of sex, to take part in the political process, and, through that, in the process of governance and international representation of the nation. Women have frequently become ministers and ambassadors, which indicates that women have opportunities to represent the country in international conferences. High-level female leaders and officers have become team leaders as well as members of government delegations representing the country.

86. There is no overt legal discrimination between men and women in international representation. Female representation is less than male, however, perhaps because of the low percentage of women in the government and in the bureaucracy. Nepal has adopted appropriate Constitutional and legislative measures to ensure women the opportunity to represent Nepal at the international level and to participate in the work of international organizations.

8. Nationality (Article 9)

87. Provisions embodied in Part 2 of the Constitution and in the Citizenship Act, 1964 grant women equal rights with men to acquire, change or retain their nationality. Under Nepali law, neither marriage to an alien nor change of nationality by the husband during marriage automatically changes the nationality of the wife, renders her stateless or forces her to acquire the nationality of the husband. If a husband of a Nepali woman changes his nationality, the wife may make her own decision to do likewise or not.

88. A person who is born in Nepal and whose father is a citizen of Nepal at the time of the birth, *ipso facto*, becomes a Nepali citizen by descent. A child found within Nepal, the whereabouts of whose parents are not known, is deemed to be a citizen of Nepal by descent until the father of the child is traced. However, the same right is not given to a child whose mother is a Nepali citizen.

89. Nepali legislation also provides certain grounds on fulfillment of which a person may become a citizen of Nepal. In practice, citizenship of the father, brother or husband is required to provide citizenship to a child (son or daughter), brother or wife. This sometimes raises difficulties in terms of obtaining citizenship through the mother's side.

90. A woman of foreign nationality who is married to a Nepali citizen and who has initiated proceedings for renunciation of her foreign citizenship may acquire Nepali citizenship. However, a foreign man who has married a Nepali woman is not entitled to acquire Nepali citizenship by virtue of such marriage.

9. Right to Education (Article 10)

91. Nepal has adopted various necessary ways and means to ensure women have equal rights with men in the field of education. Various policies and programs have been developed to ensure equal conditions and opportunities for career and vocational guidance, and for access to study. Particularly notable is the government policy under which scholarships are awarded to girl students to further enable them to pursue general, technical, professional and higher technical education. A total of 41,000 girl students were provided scholarships to continue their study in various schools and campuses in 1993.

92. The introduction of the Fifth Plan (1975 - 1980) coincided with the International Women's Year and the beginning of the International Women's Decade. It is not surprising that efforts to promote female education began in earnest around this period. One specific example of such efforts was the goal to appoint at least one female teacher in each primary school, with a view to increasing female enrollment.

93. In the Sixth Plan (1980 - 1985), special policies were advocated to create opportunities for women in areas that were backwards in terms of educational provision. The Seventh Plan (1985 - 1990) emphasized increasing literacy through adult education. Special policies were formulated to increase the educational access of women living in remote areas by providing scholarships, as well as other facilities such as family planning, income-generating activities, etc. Due to these and other efforts, female literacy and enrollment rates have steadily increased, as shown in Tables 6 and 7. Further data is provided in Annex III, Educational Statistics of Nepal At a Glance.

Table 6: Literacy Rates by Sex

Year	Male	Female	National
1971	23.6%	3.9%	13.9%
1981	34.0%	12.0%	24.0%
1987	52.0%	18.0%	34.0%
1991	55.0%	25.0%	40.0%

Source: Central Bureau of Statistics, National Planning Commission, Kathmandu, 1991

Table 7: Female Enrollment as a Percentage of the Total, 1975 - 1993

Level	1975	1980	1985	1991	1993
Primary	20.0%	26.9%	30.0%	37.0%	39.0%
L. Secondary	17.6%	20.3%	25.0%	31.0%	34.0%
Secondary	16.9%	18.9%	23.0%	29.0%	31.0%

Source: Manpower and Statistics Section, Ministry of Education, Culture, and Social Welfare, Kathmandu, 1993

94. The Eighth Plan (1992 - 1997) continues attempts to uplift the educational status of women. The government is making various efforts to promote the educational status of girls and women by:

- Providing cash awards to schools with high female enrollment rates.
- Upgrading the skills of women techers through a Women's Education Project office.
- Increasing the employment of women teachers.
- Implementing equal access to educational programs for women and girls.
- Improving physical facilities for women's hostels.
- Providing free textbooks for girls up to fifth grade.
- Awarding scholarships to girls in remote areas.

95. These programs represent the efforts of the Ministry of Education, Culture and Social Welfare to coordinate the improvement of education for girls and women. The ministry also attempts to increase the involvement of women professionals at all levels of its programs, monitors progress through the Women's Education Program unit; collects and publishes data related to the program; and sponsors studies on various aspects of women's education through national research agencies. All these efforts promise to make a meaningful impact on the access of women to education.

96. In some rural areas, child care centers have been established under the Agriculture Development Bank's Small Farmers' Development Program and the Ministry of Local Development's Production Credit for Rural Women Program. These centers free older girls from child care responsibilities so that they can attend school. An out-of-school girl's program (Cheli - beti) run through the Women's Education Project is reaching girls who were unable to attend school.

97. As indicated in Table 8, the number of female teachers has risen steadily over the past two decades:

Table 8: Female Teachers and Their Percentages, 1975 - 1993

Level/Year		1975	1980	1985	1991	1993
Primary:	No. of Female Teachers	1,706	2,666	5,469	10,206	12,771
	Percentage	8.21	9.50	10.29	14.00	16.00
Lower Secondary :	No. of Female Teachers	700	1,161	1,217	1,485	1,801
	Percentage	8.80	9.50	9.71	11.00	13.00
Secondary:	No. of Female Teachers	355	449	795	938	1,235
	Percentage	10.50	9.10	8.59	8.00	10.00

Source: HMG, Ministry of Education, Culture and Social Welfare, Manpower and Statistics section, Kathmandu, 1991 and 1993

98. Since 1992, the Basic Primary Education Program has been implementing programs to bring more girls into primary education and to maintain their enrollment rates It addresses a number of issues raised at the World Conference on Education for All regarding the promotion of girl's and women's education. It also runs an out-of-school program for both girls and boys called Shiksha Sadan. Other agencies have replicated this program in various districts.

99. Special teacher-training programs are being run at five university campuses throughout the country, as well as a special upgrading program to improve the qualifications of women and girls from remote areas. Residential facilities are provided for

participants in these programs. Refresher courses have also been introduced for women teachers. These activities were initiated under the Equal Access of Girls and Women to Education in Nepal Project.

100. Other government programs for fiscal year 1994/95 provided literacy for about 554,000 people, provided financial assistance for educational materials to children of backward communities, provided scholarships to students of Deuki and Bhanda communities to study in Kathmandu, and provided scholarships to study to the bachelor's level for the children of political 'martyrs'.

101. Messages given through the media emphasize the provision of equal opportunities to girls and boys, as well as the importance of women's education. Cash incentives are given to the schools having the highest enrollment of girls in each district. Under the Girl's Education Program, the government is providing scholarships of Rs. 250 per year to 31,776 primary school students, and scholarships of Rs. 850 per year to 9,922 lower secondary students. Under the Quality Education Program, 288 secondary girl students staying in 18 girl's hostels are being provided scholarships at a rate of Rs.550 per month for remote districts and Rs. 450. for other districts. A total amount of Rs. 20.24 million was allocated for the financial year 1995/96 for this purpose. In addition, scholarships are being provided to 350 girl students studying in higher education. Various women's education programs also aim at developing women as agents of change in society.

102. Women are entitled, on an equal footing with men, to access to the same curricula, the same examinations, similarly qualified teaching staff, and school premises and equipment of the same quality. In terms of scholarships, girls and women seen to be in a more favorable situation than boys and men, as certain national and international scholarships are reserved for them. The Children's Act, 1992 specifically prohibits discrimination in the field of education. However, the actual reality is quite different. Due to poverty and persisting patriarchal norms and values, women and girls must concentrate on reproductive and productive work. As a result, most women and girls are still deprived of educational opportunities. As in other developing countries; a large number of female students drop out of school in order to help their mother with household chores and the care of younger children.

10. Right to Employment (Article 11)

103. Under Nepali law, any type of discrimination against women in the field of employment is prohibited. Under Article 11 of the Constitution all Nepali citizens are equal before law and are entitled to equal protection of law. The Constitution guarantees that no discrimination in regard to remuneration shall be made between men and women for the same work.

104. All citizens have the freedom, *inter alia*, to practice any profession or to carry on any occupation, industry or trade. Under Constitutional provisions, the Civil Liberties Act, 1955, the Civil Service Act, 1993 and the Labour Act, 1992, employment opportunities are accorded to both men and women. Various provisions ensure the right to paid leave and to the protection of health and safety in working conditions. Female workers are entitled to pregnancy/maternity leave. Policies are being developed to create and promote a network of child-care facilities.

105. The Ministry of Labor is conducting nine-month Women's Skill Development Training Programs to encourage women to become self-employed. The program was also conducted for women laborers (Kamaiya) of Dang, Bardia, Kailali and Kanchanpur districts in fiscal year 1995/96.

106. As stated in the Introduction, women constitute 46 percent of the total economically active population. About 90 percent of these women are engaged in agriculture. Studies show that on the average, Nepali women work for 11 hours a day, while men work for seven hours. Women contribute 50 percent of the household income, while men contribute 44 percent and children contribute six percent.

107. Women's involvement in the industrial sector is marginal, generally confined to low skill positions, and is unevenly distributed. Principal activities include spinning, weaving, knitting, carpet making, and tea and food processing. The main employers of women are the textile and weaving industries, but involvement is mainly in the unskilled and semi-skilled categories. Increasing numbers are being employed in food processing industries and in manufacturing cigarettes, matches, and pharmaceutical. The hotel industry follows the same pattern with the concentration of jobs being in housekeeping and ancillary jobs. In the service sector, schools, government and financial institutions are the main employers.

108. The percentage of women in decision-making positions is minimal. Among the 205 members of the Lower House of Parliament, only seven are women members. Of the 60 members of the Upper House, only five are women.

109. Female employment in the civil service is limited. Women in the civil service constitute only 10 percent of total employees, concentrated mostly in clerical jobs. In 1983, 4.2 percent of civil servants at the officer level were women, climbing to five percent in 1991/92. Out of 75 chief district officers, only three are women. Women constitute 1.81 percent of the Nepal Police Service, including officer and non-officer levels. Numbers and percentages of women in the civil servants are given in Annex IV.

110. To summarize the status of working women in Nepal, the concerned ministries and departments are continuing to review current legislative and administrative measures in the light of scientific and technological knowledge, and these are expected to be revised, repealed, or extended as necessary.

11. Right to Health (Article 12)

111. Women do not suffer discrimination of any type in the field of health care in Nepal. Both men and women are entitled to access to health care and family planning services. Various programs are being developed to ensure women receive appropriate services in connection with pregnancy, delivery and the post-natal period, and receive adequate nutrition during pregnancy and lactation.

112. Government policies ensure equal access to preventive health services, promotional health services and basic primary health services. An estimated 800,000 pregnancies occur in Nepal every year; of which 20 percent are considered high-risk to the mother and/or child. Safe Motherhood, a priority program of the new national health policy, is working to reduce the estimated national maternal mortality rate from 515 per 100,000 live births in 1991 to 450/100,000 by the year 2000. The main focus of Safe Motherhood, launched in April 1994, is to improve maternity care services, including family planning services, at all levels of the health care delivery system, as well as within communities. Safe Motherhood aims to provide women with knowledge about health, especially hygienic conditions for home delivery, and to give them access to services for child spacing and prenatal, delivery and postnatal care by Trained Birth Attendants. The program also provides referral services and promotes breastfeeding and proper nutrition.

113. Nepal's first HIV/AIDS positive case was diagnosed in 1989. The current total of HIV/AIDS-positive cases is 97 women and 91 men. The government has formulated a Plan of Action for AIDS prevention, and is implementing a National AIDS Prevention and Control Program to generate public awareness, screen blood transfusions and carry out other strategies to reduce AIDS transmission. A ministerial-level committee has been formed within the Ministry of Health to address this issue. The highest level of involvement in this issue, however, comes from women's NGOs.

114. In terms of general health care, government plans call for sub-health posts to be established in all VDCs, to be staffed with a Village Health Worker, an Auxiliary Health Worker, and a Maternity and Child Health Worker. These sub-health posts will provide curative, promotional and preventive health services, including immunization, family planning, maternity and child health care, and education on health, environment, nutrition and sanitation.

115. The existing Village Health Workers, who are mostly male, have not proven very effective in providing health services at the grassroots level, particularly to women. The government's Health and Nutrition Program is strengthening the country's health-care delivery system by involving women in outreach services from local health posts and sub-health posts. A total of 65,000 Female Community Health Volunteers and 30,000 Traditional Birth Attendants are being trained for the purpose.

116. Despite efforts made over the last three decades, the health status of the population

remains poor by international standards, partly due to poor nutritional status and lack of sanitation facilities. Poverty, a low level of public awareness about health, and poor infrastructure and service facilities, especially in rural areas, are other major obstacles in ensuring women's health. The total fertility rate (TFR) remains high: an estimated 4.6 in 1996, compared to 5.8 in 1991 and 6.3 in 1981. The contraceptive prevalence rate increased from 7.6 percent in 1981 to 26 percent in 1996. Despite the focus on family planning and safe motherhood, less than 10 percent of women are attended by trained personnel during childbirth. Antenatal and postnatal care and services are very limited, and as a result the IMR, CMR and MMR all remain relatively high.

13. Equality in Economic and Social Life (Article 13)

117. Under Nepali law, women are ensured equal rights with men in terms of receiving family benefits, bank loans, mortgages and other forms of financial credit, and in participating in recreational activities, sports and all aspects of cultural life. The Contract Act, 1966, entitles women to contract financial transactions in any form. Women have the legal capacity to take bank loans, mortgages and other forms of financial credit, as well as the right to establish a private firm or company or to take shares of a company and obtain benefits therefrom. However, No. 2 of the Chapter on "Women's Property" of the Muluki Ain restricts women from independent use of their property, requiring them to receive permission from their father (if they are unmarried) or from their adult son (if they are married or widows) before disposing of their immovable property.

118. The government is conducting several income-generating and loan programs targeted at women through the Ministry of Local Development and the Ministry of Agriculture. Different types of technical and vocational training are also being provided to women to encourage their participation in income-generating programs. Programs operated by the Nepal Rastra Bank and the Agricultural Development Bank encourage the participation of rural women in various economic and business activities.

119. Effort have been made to mainstream women into national development efforts. Women's development divisions in different ministries have been formed, including a Women's Development Division under the Ministry of Local Development. The Production Credit for Rural Women (PCRW) program is initiating activities to raise the socioeconomic status of women through extension of credit for self-employment and income-generating activities, extension services, the promotion of health and nutrition, and the introduction of labor-saving technologies.

120. A new government program begun in fiscal year 1994/95 provides a total of 1,875 disabled people (25 in each district) an allowance of Rs. 100 per month. Another new program to provide old age pensions for those 75 years and above was recently introduced in five districts, benefiting about 5,642 women of the total of 11,442 recipients. The

government has allocated Rs. 8,403 million for implementing women's development programs in 64 additional districts.

121. The law provides for equal participation and legal provisions concerning sports and culture and recreational activities. Rural women in Nepal are generally busy with productive and reproductive work and are allowed very little or no time for recreational or social activities. Nepal's traditional position as a male-dominated society only worsens the situation.

122. In order to broaden female participation in development programs, the Small Farmers Women's Development Programs was introduced in 1982/83. The Agricultural Development Bank operates a separate division for the implementation and monitoring of this program, which has been implemented in 670 Village Development Committees in all 75 districts of the country, with the assistance of 129 women development workers posted in remote districts and areas. About 41,352 poor rural women have formed 2,056 groups which receive training on education, health, family welfare, skill development, and the environment. By May 1995, about Rs 60 million had been provided as loans to these groups. Over 27,000 women have received income-generation and skill development training, while over 79,000 women had become literate. The family welfare program had established 32 child-care centers, and 35 environmental protection projects are currently being implemented.

14. Women in Rural Areas (Article 14)

123. Realizing the fact that most Nepali women live in rural areas, government programs have focused on the grassroots level. The Ministry of Local Development (MLD), the Agriculture Development Bank/Nepal (ADB/N), and other organizations are implementing programs to improve the socioeconomic development of rural women and girls.

124. Some Rs. 34 million has been provided for income-generating programs aimed at uplifting members of exploited, oppressed and marginalized communities and ethnic groups found throughout the country. Other integrated rural development programs encourage the participation of local people. Women's development programs operated by various NGOs have expanded to 67 districts, and focus on improving the living standards of economically deprived rural women through training in income-generating activities.

125. The Production Credit for Rural Women (PCRW) Project implemented by the MLD is an outstanding example of efforts to enhance women's socioeconomic status. It extends free-credit facilities through commercial banks to groups of assetless rural women from low-income groups. The project's community development component provides basic services in drinking water, literacy, health and introduces improved technology such as water turbines and improved cookstoves to reduce the heavy workload of rural women and

girls. The project works to empower women by helping them identify problems and solutions, make decisions for themselves and their families, and become economically independent.

126. The Small Farmer's Development Program implemented by ADB/N operates on the same model as PCRW, though its women's program is a sub-component of a larger program for small farmers. A micro-credit program for rural women is also being implemented by ADB/N.

127. The government has also allocated Rs. 500,000. per year for rural development for each Village Development Committee (VDC), and has provided an additional Rs. 500,000 to each member of Parliament for the development of constituencies. This Rural Self-help Program aims to fulfill the basic needs of rural people. However, the impact of all these programs is limited: combined, these cover less than 10 percent of the population living below the poverty line.

15. Legal Rights (Article 15)

128. Article 11 of the Constitution and Section 3 of the Civil Liberties Act, 1955 provide that all citizens shall be equal before law and that no person shall be denied the equal protection of law. Nepali law accords to women a legal capacity identical to that of men, and the same opportunity to exercise that capacity. Women are entitled to have equal treatment in all stages of procedure in courts and tribunals and equal opportunity to Constitutional as well as legal remedies.

129. Under the Contract Act, 1966, women shall have the equal legal capacity to conclude any legal contract, and any contract or private instrument restricting the legal capacity of any citizen is deemed to be null and void. Under Article 12, Clause 2 (D) of the Constitution, women have freedom to move throughout the kingdom and reside in any part thereof.

130. Moreover, in case of any restriction in these rights, pursuant to Article 88 (1) of the Constitution, any Nepali citizen may file a petition to the Supreme Court to have any law or any part thereof declared void on the ground of inconsistency with the Constitution if it imposes an unreasonable restriction on the enjoyment of fundamental rights. In such a case the Supreme Court may declare that law as void either *ab initio* or from the date of its decision. A statute is void if it is inconsistent with Constitution, but it may not be declared void simply because it is discriminatory against women.

131. The head of family (father/husband) is legally bound to look after his sons and wife, but the law is silent on the maintenance right of daughters. With regard to property rights, a male child is entitled to inheritance right by birth, but a girl child shall acquire such property

right only if she remains unmarried up to the age of 35 years. Women are authorized to independently use/dispose of their movable property, but must obtain the permission of their father or sons before disposing of their immovable property.

132. A tenant's son may inherit transfer rights, but daughters are excluded from this provision. If a tenant dies, the landlord must choose a successor tenant from amongst his sons or wife, whoever he deems to be most trustworthy.

16. Marriage and Family Relations (Article 16)

133. Women have the same right to enter into marriage as men. They are entitled to freely choose a spouse and to enter into marriage only with their free and full consent.

134. No. 1 of the Chapter on "Marriage" of the Muluki Ain stipulates that any marriage may be performed according to one's free will and consent. According to No. 2 of the same Chapter, men aged 21 or over and women age 18 or over have the right to marry with their own consent. Marriage entered into without the free and full consent of the intending parties is voidable. The provisions of this chapter are devoted to ensuring equality of rights and responsibilities of spouses as to contracting a marriage, during the marriage, and during its dissolution. Polygamy, bigamy and polyandry are prohibited by law. A divorced or widowed woman is allowed to remarry.

135. The Muluki Ain has fixed the legal age of marriage for girls at 16 and for boys at 18, with parental consent; and 18 and 21 respectively without parental consent. The government is currently reviewing the minimum age of marriage. Under the Marriage Registration Act, 2028, official registration of marriage is mandatory but not compulsory.

136. No. 1 of the Chapter on "Husband and Wife" of the Muluki Ain stipulates that a marriage may be dissolved through the consent of both parties. A wife may obtain a divorce if the husband brings or keeps another wife, banishes the wife from home or refuses to support her, deserts her for a continuous period of at least three years, causes or tries to cause such acts as may threaten her life or inflict serious bodily injury to her, or becomes impotent. No. 3 of the same Chapter provides for the custody of children after divorce. The mother, if she so desires, is entitled to maintain the minor until the minor attains the age of five years. If she does not desire, the father shall maintain such minor. The mother, if she is not remarried and if she so desires, is entitled to maintain the minor above the age of five. If the mother maintains a child, the father shall provide a reasonable amount of the expenses needed for the child's food, clothing, education and medical treatment.

137. A wife is entitled to her share of a couple's property if she is abandoned by the husband alone or together with his parents, or if she is treated cruelly, or if the husband has brought or kept a second wife.

138. A woman receiving a divorce on the grounds of her husband's misbehavior is entitled to receive alimony for a period of five years or until she is remarried.

139. The Chapter on "Partition" of the Muluki Ain provides that any women who has completed fifteen years of married life and is at least 35 years old may, if she wishes, obtain her partition share from her husband and live separately. An unmarried daughter who has reached the age of 35 is entitled to a share of her father's property equal to that of sons.

140. Under the law, any property, whether movable or immovable, earned by a woman is under her full disposition. The women's property, whether it be *daijo* (defined as any property given to a woman by relatives and friends of her family, and any property raised therefrom) or *pewa* (any property given to a women by the husband or by coparcenaries of the husband in writing, or any property given by the relatives or friends of the husband) is also under the woman's full disposition.

141. It is clear from the above-mentioned legal provisions that the law assigns unequal status to a girl child in comparison to a male child, and in some instances the law is bluntly discriminatory. Moreover, existing laws define a minor at various ages according to the requirement: a girl child is considered a minor below 16 years in the case of marriage, whereas she must attain 35 years in order to acquire her father's property.

142. Several petitions have been filed in the Supreme Court against the above-mentioned discriminatory provisions; for example, the case of Ms. Jagatmaya vs. Ms. Shanu Khadgi - 027/84 Supreme Court. In this case the Supreme Court decided to give maintenance rights to an unmarried daughter who had not yet reached the age of 35 years, but this ruling has yet to be amended in general law.

143. Similarly, two woman lawyers filed a writ in the Supreme Court against unequal rights to property in 1995. In this case the Court gave a directive order to the government to present a bill to the House of Representatives for equal rights to property, following consultation with sociologists, lawyers, and organizations working in women's development and rights, and after studying the laws of foreign countries. The Court also ordered the government to preserve deep-rooted social systems when formulating the bill.

144. Another case involved a petition against discriminatory laws of tenancy rights of daughters and daughters-in-law. The Supreme Court decision on this case was linked to its decision on property rights. Another woman lawyer filed a writ in the Supreme Court to repeal all gender-biased laws still existing in Nepali general law. The Court gave a positive order in this case, directing the government to amend the discriminatory laws within two years. Such cases are positive examples of legal and judiciary efforts to empower women in Nepal.

Conclusion

145. Constitutional as well as legal provisions preclude discrimination of any type, form or manifestation against women. However, various provisions in the Constitution and laws discriminate against women's rights and development. Poverty, customary practices and traditional social values also contribute to inequality and discrimination between women and men.

146. The social status of women varies between different ethnic groups. In some ethnic groups, women enjoy relative equality with men, while in others, women's position is subordinate to men.

147. The government has made provisions to ensure at least five percent of the total number of candidates contesting any election in the country are women, and has reserved three seats for women in the National Assembly, of a total of 60.

148. Female literacy reached 25 percent in 1991, from 3.9 percent in 1971. However, the female enrollment rate remains very low — 39 percent at the primary level and 31 percent at the secondary level. Governmental efforts to improve this situation and to increase the participation of women in education include special education programs, women's education programs, scholarships for girl students, and the employment of at least one female teacher in every primary school.

149. Trafficking in human beings, slavery, serfdom, forced labour, prostitution, and rape in any form are all prohibited by the laws. However, girls and women, especially from poverty-stricken districts, are being trafficked to India, and rape, prostitution and violence continue to occur.

150. Nepali laws give women equal rights with men in acquiring, changing or retaining their nationality. In practice, however, Nepali citizenship of an applicant's father, brother or husband is required to provide citizenship to a son, daughter, brother or wife. This practice makes it difficult to acquire citizenship through a Nepali mother.

151. Women constitute 46 percent of Nepal's total economically active population. Ninety percent of these women are engaged in agriculture. Women's involvement in industrial sectors is marginal, confined to low-skill sectors, and is unevenly distributed. The percentage of women in decision-making positions is very low, as is the number of women in the civil service. Women constituted five percent of officer-level civil servants in 1991/92.

152. The health status of Nepali women in general is poor, as is the health service delivery infrastructure. Most hospitals and physicians/surgeons are concentrated in urban areas. Pervasive poverty, a low level of health awareness and rugged terrain which hampers access to health care services are other major obstacles to women's health.

153. Various income-generating programs targeted at women are being implemented by the government and NGOs, including the Production Credit for Rural Women Program, the Small Farmer's Development Project, and a micro-credit program for rural women.

154. The legal age of marriage is 16 for girls and 18 for boys with parental consent, and 18 and 21 respectively without consent of the parent. However, the government is reviewing the age of marriage. An unmarried daughter must be at least 35 years of age to claim a share of paternal property, while sons may do so at any age and whether married or unmarried.

155. Various petitions have been filed in the Supreme Court by woman lawyers against certain prevailing discriminatory legal provisions. The Court's response has been positive in this regard, and the Court has given a directive order to the government to amend discriminatory laws within two years. This is a positive example of legal and judiciary efforts to empower women in Nepal.

156. Major barriers to women's rights and development remain in Nepal. Foremost among them are social constraints like a generally conservative and male-dominated social value system. Others are Nepal's historical burden of poverty, and a generally low level of public awareness and education. Bureaucratic constraints include inadequate monitoring and evaluation systems for development programs, and poor enforcement and implementation of laws ensuring women's rights.

Annex I
Basic Indicators

Demographic Indicators

Life Expectancy

Average	54.4 years
Male	55.2 years
Female	53.7 years

Population (1991)

Total	18,491,097
Male	9,220,974
Female	9,270,123
Sex Ratio (Male:Female):	99.5:100
Estimated Population (1994):	Approximately 20.0 million

Annual Population Growth

Total:	2.1 percent
Urban:	5.89 percent
Rural:	1.8 percent

Population Distribution

Urban:	9.5 percent
Rural:	90.5 percent

Total Fertility Rate:	4.6 children per woman
Crude Birth Rate:	39.1
Crude Death Rate:	13.1

Health and Education Indicators(1996)

Infant Mortality Rate:	79 per thousand live births
Under-five Mortality Rate:	118 per thousand live births
Maternal Mortality Rate:	515 per 100,000 (1991)
Persons per Hospital Bed:	3,967
Persons per Health Post:	24,000
Persons per Medical Doctor:	15,800

Literacy Rate

Total	39.7 percent
Male	54.5 percent
Female	25.0 percent

Socioeconomic Indicators

Economically Active Population (above ten years of age)

Total:	57.0 percent
Male:	68.7 percent
Female:	45.5 percent

Total by Age Group

0-14 years:	42.4 percent
14-59 years:	51.8 percent
60+ years:	5.8 percent

GDP Growth Rate (1991/92): 2.1 percent

GDP per Capita (1994): US$202

Rate of Inflation (1981-1991): 9.1 percent

Rate of Unemployment (1992): 7.6 percent

Population Involved in Agriculture: 81.3 percent

Dependency Ratio

Total:	93.1 percent
1-14 years:	81.9 percent
60 years:	11.2 percent

Annex II

Goals, Activities and Priorities of the Ministry of Women and Social Welfare

Introduction

The Ministry of Women and Social Welfare (MWSW) was established in September 1995 with the goal of mainstreaming women into national development through encouraging gender equality and the empowerment of women.

The MWSW, as a governmental lead agency for women and development, will:

i. Formulate a national women's development policy and ensure its integration into national development policy;
ii. Advocate women's empowerment and gender equality;
iii. Undertake measures to remove structural obstacles that hinder women's full participation in national development; and
iv. Promote positive/affirmative discrimination in favor of women.

In addition, the MWSW will:

i. Coordinate all women-related programs and activities carried out by Government Organizations (GOs), NGOs and INGOs;
ii. Review and monitor all women-related activities;
iii. Screen all programs/projects proposed by GOs and NGOs before implementation;
iv. Collect and disseminate all women's development-related research reports prepared by GOs, NGOs and academic institutions;
v. Collect gender-disaggregated data;
vi. Conduct women-related research;
vii. Conduct gender sensitization/awareness training and programs;
viii. Assign economic value to women's unpaid work;
ix. Establish a National Documentation Center on Women;
x. Follow up and take necessary actions to fulfill Nepal's commitment to all UN Conventions and Declarations related to women to which Nepal is a party; and
xi. Recommend persons to represent Nepal in national and international conferences related to women.

The Ministry will work as the national focal point for national and international women's and development activities.

Priorities and Focus of the Ministry

Institutional

1. Institutional strengthening of the Ministry in terms of infrastructural development, human resources development and technical support.
2. Establish women's development cells in relevant ministries and strength of existing women's development cells in other ministries.
3. Provide gender sensitization/analysis training for policymakers and implementers.
4. Develop a monitoring and evaluation system for women's development programs/projects.
5. Establish a National Women's Development Documentation Center.
6. Generate and compile gender-disaggregated data.

Advocacy

1. Advocate gender equality and empowerment of women (legal, political, socioeconomic).
2. Raise awareness about gender equality and promoting positive images of women through the media.
3. Assign economic valuation to women's unpaid work in order to make it more visible.
4. Disseminate international declarations and conventions, e.g., the Beijing Declaration.

Policy Formulation

1. Develop a National Women's Development Policy based on national priorities and international declarations and conventions, and incorporate this in the Ninth Plan.
2. Formulate a national action plan for women's development, based on national priorities and international declarations and conventions.

Partnership with NGOs

As the national focal point and the lead agency for women's development, the Ministry will work closely with all women's development NGOs.

As a newly created ministry, the Ministry will move forward simultaneously in the above-identified priority areas of concern to implement multi-sectoral pilot projects.

Annex III

Education Statistics of Nepal At a Glance, 1993

	Primary (1-5)	Low. Sec. (6-8)	Secondary (9-10)	Total
School Enrollment:	3,091,684	637,367	272,747	4,001,798
Total	1,195,930	216,468	83,927	1,496,325
Girls	39	34	31	37
Girls (percent)				
Age Group Population	(6-10)	(11-13)	(14-15)	(6-15)
Total	2,879,829	1,442,766	853,813	5,176,408
Girls	1,409,182	696,356	423,283	2,528,821
Gross Enrollment Ratios: Total	107	44	32	77
Girls	85	31	20	59
Teachers: Total	79,590	13,647	12,656	105,893
Total trained	38,536	4,623	5,512	48,671
Total trained (percent)	48	34	44	46
Female	12,771	1,801	1,235	15,807
Female (percent)	16	13	10	15
Female trained	4,896	656	540	6,092
Female trained (percent)	38	36	44	39
Ratios: Students per teachers	39	47	22	38
Students per school	153	146	122	197
Teachers per school	4	3	6	5
* University	3			
Total Campuses:	206			
Public	72			
Private	134			
Total Students' Enrollment	154,528			
Female in Public Campus	43,286 (28 percent)			
Female in Private Campus	3,629 (24 percent)			

Notes

1. Gross Enrollment Ratio indicates the total number of students enrolled at a given level compared with the number of students at the ages expected to be enrolled at that same level.
2. "Trained" teachers are those who have successfully completed pedagogical training appropriate to their level of assignment.

* Based on the data of 1991.

Source: HMG, Ministry of Education, Culture and Social Welfare, Kathmandu, and Tribhuvan University, Kathmandu.

Annex IV

Female Civil Servants by Level and Service 1991/1992

	Special Class and Additional Secretary Equivalent		First Class Joint Secretary and Equivalent		Second Class Under Secretary and Equivalent		Assistant Secretary and Equivalent **		Third Class Section Officer and Equivalent		Total	
Service	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No	Percent	No	Percent
Nepal (Total)			17	2	88	5	52	4	364	5	521	5
Administration			2	1	17	3	4	1	31	1	54	2
Agricultural					9	4	1	1	38	4	48	4
Health			13	15	37	20	28	16	150	19	228	18
Engineering					6	2	4	1	42	3	52	2
Education					11	10	9	19	27	4	47	5
Forestry					6	6	2	4	36	11	44	8
Judicial			2	6			2	2	1	1	5	1
Accounting									3	3	3	2
Miscellaneous					2	13	2	20	36	31	40	28

Source: Women in Nepal, Some Statistical Facts, NPCS

** The post of Assistant Secretary has been cancelled and the post is now equivalent to Under Secretary.